

# EXHIBIT 1

**From:** "John Woodruff" <jwoodruff@sis.us>

**To:** "john.reinhold@nypd.org" <john.reinhold@nypd.org>

**Subject:** Apple Theft- Ousmane Bah

**Date:** Thu, 15 Nov 2018 13:55:43 -0500

**Importance:** Normal

**Attachments:** PERP\_BAG.jpg; PERP.jpg; PERP\_PHONE.jpg; PERP\_POCKETS.jpg

Hi John,

The below individual is known to us as Ousmane Bah. He has been hitting Apple stores for quite a few months now and doesn't seem to be stopping. I am not sure if you have a contact with our Apple LP district managers but I recently heard from an Apple manager at Staten Island that you were trying to ID him. I can give u whatever I have on his cases and losses we have experienced if you have not already gotten it. Looks like he hits from Connecticut to south Jersey. Feel free to reach out to me anytime.

856-520-3154

----- Forwarded message -----

From: <[info@metrorca.org](mailto:info@metrorca.org)>

Date: Thu, Nov 8, 2018 at 5:56 PM

Subject: METRORCA Alert Staten Island, Region - MetroNYCLongIsland, Theft, Greater Than \$1000, Concealment

To: <[jwoodruff@sis.us](mailto:jwoodruff@sis.us)>

## Incident

### Store Type(s) Affected\*:

Please select at least one.

☒ Specialty Store

### Type of Offense(s):

☒ Theft

### Methods Used:

☒ Concealment

### Total Case Value:

☒ > \$1000

### Repeat Offender(s):

☒ Yes

### Individuals Involved: \*

<u>Race</u>	<u>Age</u>	<u>Weight</u>	<u>Height</u>
<input checked="" type="checkbox"/> African American	<input checked="" type="checkbox"/> 18-25	<input checked="" type="checkbox"/> 100-120	<input checked="" type="checkbox"/> 5'7-5'11

### Description of the incident. \*

The Staten Island Grand Larceny Squad is endeavoring to identify the photographed male

perpetrator above. The above individual did remove store merchandise from Apple Store on October 22, 2018 and October 24, 2018. Apple Store is located in the Staten Island Mall, [2655 Richmond Avenue](#) in the confines of the 121 precinct. Anyone with information regarding this case, please contact the undersigned at 718-876-7662.

**Description of the people involved.**

Male Black observed to be wearing a black "Atlanta Falcons" jacket.

**Description of the vehicle(s) involved.**

**Date / Time of the Incident:**

Date: 10/22/2018 Approximate Time: 3 pm

**Incident Location:**

[2655 RICHMOND AVENUE](#)

**City:**

Staten Island

**State:**

NY

**County:** NY-Richmond **Zip Code:**  
MetroNYC Long Island 10314

**Suspect's Name:**

**Attach any photos / files:**

**Police Report # / Internal Case:**

**Officer or Person that took the report:**

**Submitter's Full Name:**

john reinhold

**Company / Organization Name:**

nypd

**Best Contact Number:**

718-876-7662

**Email Address:**

[john.reinhold@nypd.org](mailto:john.reinhold@nypd.org)

To remove yourself from this mailing list, click [here](#)

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John Woodruff

Loss Prevention Specialist

Security Industry Specialists, Inc. (SIS) -----Los  
Angeles \* New York \* San Jose \* Seattle \* Brazil800.201.3742 Office856.520.3154 Mobile

# EXHIBIT 2

**Received(Date):** Tue, 23 Oct 2018 21:36:59 +0000

**From:** R152@apple.com

**Subject:** Incident Report: Market Team 3, R152, Staten Island, Known theft

**To:** Undisclosed recipients: ;

**Date:** Tue, 23 Oct 2018 21:36:59 +0000

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# In-Store Incident Report

Employee

[Daniel Cioffoletti](#)

dcioffoletti@apple.com

Store

[R152 - Staten Island](#)

Market Team 3 (New Jersey Metro Market)

Market Leader Email

Helene.Endrick@apple.com

CC

dscarano@apple.com

The appropriate Market Support teams and your MD have been copied on this email.

## Incident Details

Incident Date/Time

October 22, 2018 at 3:12 PM EDT

Category

Theft & Shoplift

Description

Young male walks into Apple Staten Island at 3:33:12 PM

- Walks over to sales wall on right side at 3:39:55 PM and pockets a demo Apple Pencil.

- Walks over to Mac Pro and LG Display at 3:41:48 PM and pockets a Space Gray Demo Trackpad.

- Walks over to iPad table and Pockets two more demo Apple Pencils at 3:42:54 PM.

- Walks over to Apple Watch table and pockets Apple Watch at 3:43:34 PM

3E334LL/A APPLE WATCH S4 44 GOLD AL CEL DEMO-USA - LT2 RA FH7X70GUKDT9

- Walks over to left side Accessories and pockets a sellable Space Gray Magic Mouse at 3:44:30 PM

- Walks over to right side Accessories and pockets a sellable Apple Pencil at 3:45:05 PM

- Walks back over to Apple Watch table and pockets 2 more Apple Watches at 3:48:29 & 3:49:02 PM

3D195LL/A APPLE WATCH S3 42 SIL AL CEL DEMO - LT2 LA Mat G99X20N2J6GD

3E335LL/A APPLE WATCH S4 44 Gold SS CEL DEMO-USA - LT2 LC Mat FH7X60UTKDTC

Exits the store at 3:49:10 PM

\* Sheltered in place

\* Evacuated

\* Store closure

#### Immediate Action

No police were called at the time of incident.

Informed store management and Security guard on duty.

Footage of incident has been pulled and is available when requested.

Apple Confidential. Do not distribute.

Sent via [Incident Report](#).

# EXHIBIT 3



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

=====X  
OUSMANE BAH,

Plaintiff,

-against-

APPLE INC. and SECURITY INDUSTRY  
SPECIALISTS, INC.

Defendant.  
=====X

19 Civ. 3539 (PKC)

DECLARATION OF  
TOM STEVENS

DECLARATION OF TOM STEVENS IN SUPPORT OF MOTION TO DISMISS PURSUANT  
TO RULE 12(b)(2),(6)

I, Tom Stevens, pursuant to 28 U.S.C. Sec.1746, under the penalties of perjury, declare  
that the following is true and correct.

1. I am the Vice President of Retail Operations for Security Industry Specialists, Inc.  
("SIS") and I held this same position in 2018.

2. SIS is a California Corporation with its corporate headquarters and principal place of  
business located, currently and in 2018, at 6071 Bristol Parkway, Culver City, CA 90230.

3. SIS, currently and in 2018, provides "loss prevention" services to Apple retail stores in  
multiple states. "Loss prevention" is a specifically contracted security service wherein SIS  
employees are assigned to a retail store to detect shoplifters, make apprehensions and, if  
necessary, contact local law enforcement regarding the theft.

4. SIS, currently and in 2018, leases office space in New York at 601 W.26<sup>th</sup> Street, New  
York, NY. SIS currently and in 2018 provides security services to several (non-Apple) retailers  
in New York City. However, neither currently, nor in 2018 did SIS provide "loss prevention"  
services to any retailers in the City or State of New York.


5. Neither currently, nor in 2018, is/was SIS the contracted security guard company for any Apple retail store in New York City. SIS does not perform “loss prevention” services for any Apple retail store in New York State.

6. I have reviewed the June 26, 2019 correspondence from SIS’s attorney, David Metzger, listing the Apple store locations for which SIS is aware of a report to law enforcement for an individual previously identified to SIS by law enforcement as Ousmane Bah. That is a true and accurate list. SIS did not identify Ousmane Bah to law enforcement in New York State and did not file any report or complaint against him with law enforcement in New York State.

7. SIS did not disseminate the identity or image of the individual previously identified as Ousmane Bah to any Apple store, or to any security company assigned to any Apple store, in New York City.

Dated and Executed:

Edison, New Jersey  
July 30, 2019

  
TOM STEVENS